



County of Los Angeles CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

July 19, 2006

To: Mayor Michael D. Antonovich
Supervisor Gloria Molina
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
From: David E. Janssen
Chief Administrative Officer

A handwritten signature in black ink, appearing to read "David E. Janssen", is written over the printed name and title.

SACRAMENTO UPDATE

Status of County Interest Legislation

County-opposed AB 802 (Wolk), which would require local governments to include flood management in the conservation and safety elements of their general plans, including a 200-year flood hazard mapping instead of a 100-year requirement, was amended on June 7, 2006 to replace the 200-year flood mapping requirement with another hydrologic analysis and mapping task. The bill was amended again on June 27, 2006 to make various substantive changes which are described below.

Specifically, the June 7, 2006 and June 27, 2006 amendments would require: 1) the land use element to identify and annually review those areas covered by the general plan that are subject to flooding; 2) the conservation element of the general plan to identify rivers, creeks, and streams, flood corridors, riparian habitat, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management; and 3) the safety element to identify information regarding flood hazards and establish a set of comprehensive goals, policies, and objectives, based on specified information for the protection of the community from, among other things, the unreasonable risks of flooding.

In addition, AB 802 would require local governments to establish policies that locate new essential disaster response facilities such as hospitals, shelters, and emergency response entities outside of flood hazard zones, and establish general policies to

evaluate whether new development should be located in flood hazard zones, or to identify construction methods or other ways to minimize flood damage if development is located in flood hazard zones. The bill defines flood hazard zones as an area subject to flooding that is delineated as either a special hazard area or an area of moderate or minimal hazard on an official flood insurance rate map issued by the Federal Emergency Management Agency (FEMA).

The Department of Public Works (DPW) is concerned about the definition of "flood hazard zone" because it includes moderate and minimal hazards as defined by FEMA. DPW indicates that there are no areas on FEMA maps that are not at least in minimal hazard zones. As a result, the bill's requirements regarding flood hazard zones could affect all lands within the jurisdiction of a city or county. DPW supports the elimination of the requirement for the 200-year flood mapping, but the department indicates its replacement with another major hydrologic analysis and mapping task would severely impact the Water Resources Division within DPW. DPW indicates that the bill's new requirements would cost roughly the same \$30 million as the 200-year flood mapping requirement.

DPW continues to have cost concerns regarding AB 802, but it is generally supportive of the safety features of the bill. Therefore, DPW would be supportive of the June 27, 2006 version of the bill if it is amended to: 1) require the State to provide funding to cities and counties necessary to comply with the conservation, floodplain, and watershed provisions of the bill; 2) stagger the compliance deadlines to allow cities and counties to implement the bill's requirements based on highest risk and agency resources and updated data; and 3) limit the "flood hazard zone" definition to only the areas of high risk (Zone A) as defined by FEMA. **Therefore, our Sacramento advocates will no longer oppose AB 802, and instead, take a position of support if amended.** AB 802 passed the Senate Local Government Committee on June 26, 2006 by a vote of 3 to 1, and is currently in the Senate Appropriations Committee awaiting a hearing date.

Legislation of County Interest

AB 1381 (Nuñez), as amended on June 26, 2006, would revise the governance structure of the Los Angeles Unified School District (LAUSD) to:

- 1) improve student outcomes;
- 2) increase graduation rates and decrease dropout rates;
- 3) reduce the academic achievement gap between Latino, African-American, White and Asian students;
- 4) provide clean, safe schools for students and staff;
- 5) ensure teachers and school administrators are well-qualified;
- 6) increase fiscal transparency;

- 7) decentralize the LAUSD to reduce bureaucracy and transfer resources to schools and classrooms;
- 8) ensure that teachers and parents are full partners in decisions that affect schools;
- 9) maintain class sizes at or below statewide averages; and
- 10) hold school communities accountable for the achievement of goals.

To achieve these outcomes, the Superintendent of the LAUSD would request a waiver from the State Board of Education to transfer authority for major administrative functions of the LAUSD from the Board of Education to the Superintendent. This would include authority to: appoint and dismiss school principals and personnel in the Office of the Superintendent, oversee the fiscal operation of the LAUSD including, but not limited to the negotiation and execution of contracts, and make decisions regarding litigation involving the LAUSD.

In addition, AB 1381 would establish the Council of Mayors which would be comprised of the mayors of each city within the attendance boundaries of the LAUSD and members of the Los Angeles County Board of Supervisors whose supervisorial district lies in unincorporated areas within the attendance boundaries of the LAUSD. The First, Second and Third Supervisorial Districts would be represented on the Council of Mayors. According to the Los Angeles County Office of Education, these districts have the following numbers of schools serving children from Kindergarten through the 12th grade: First District, 35; Second District, 32; and Third District, 2.

Votes of the council members would be weighted in proportion to the population of the LAUSD who are residents of the city, or unincorporated area of the County to the total population of the LAUSD. The council may select a representative to participate in all aspects of the selection and evaluation of the Superintendent. The Council of Mayors would also have the following responsibilities:

- 1) oversight of an expanded and transparent process for creating, coordinating, supporting and completing joint-use projects that involve the LAUSD;
- 2) providing local government input on the development of school construction strategic plans and determining the location of LAUSD school sites; and
- 3) in coordination with the LAUSD, conducting and reviewing an asset management audit to ensure greater coordination in the delivery of local government services for children and families with the LAUSD, and between local government and LAUSD public safety departments.

Finally, AB 1381 would establish the Los Angeles Mayor's Community Partnership for School Excellence. This would require the Mayor to partner with the LAUSD, parent and community leaders, and school personnel and employee organizations to oversee a

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demonstration project in three clusters of low-performing schools with the goal of improving student learning and reducing dropout rates.

There is no recorded support or opposition for AB 1381 as amended on June 26, 2006. The bill passed the Senate Education Committee on June 28, 2006 by a vote of 7 to 2, and now proceeds to the Senate Appropriations Committee.

We will continue to keep you advised.

DEJ:GK
MAL:JF:IGR:cc

c: All Department Heads
Legislative Strategist
Local 660
Coalition of County Unions
California Contract Cities Association
Independent Cities Association
League of California Cities
City Managers Associations
Buddy Program Participants